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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,789	08/19/2003	Andrew. John Cardno		3718

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COMPUDIGM SERVICES INC.  
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EXAMINER

CHOW, JEFFREY J

ART UNIT PAPER NUMBER

2672

DATE MAILED: 03/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/642,789

Applicant(s)

CARDNO, ANDREW. JOHN

Examiner

Jeffrey J. Chow

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

The abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52(b)(4). A new abstract of the disclosure is required and must be presented on a separate sheet, apart from any other text.

### **Content of Specification**

- (g) **Brief Summary of the Invention:** See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.

The summary of the invention is objected because the summary is essentially a repeat of the independent claims. It does not benefit the reader for quickly and briefly understanding the invention from the summary without going into the detailed description to actually understand the invention since the summary is essentially a repeat of the independent claims.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2672

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Cardno (WO 02/08954).

Regarding independent claims 1, 9, and 17, Cardno discloses a record 82 that collects interactive data where the record comprises a merchant identifier, customer identifier, date and/or time, cash value of any transactions, goods/services identifier (page 6, lines 6 – 29 and Figures 3 and 4), which reads on the claimed data memory in which is maintained one or more fact data sets comprising an identifier and one or more attributes. Cardno discloses the system recognizing patterns and mapping customers who view a site between a certain range in time (page 13, lines 28 – 34), which reads on the claimed members of each finite data set defines the range of possible values for at least one attribute of at least one fact data set. Cardno also discloses retrieving data (page 6, lines 27 – 29 and page 10, lines 8 – 10) and though Cardno did not explicitly disclose a retrieval component, it is inherent that Cardno's system has a retrieving component as Cardno's system retrieves records from the database, which reads on the claimed retrieval component arranged to retrieve one or more data sets from the memory. Cardno also discloses a graphical spatial representation in the form of a topographical map where the topographical map is arranged to show the origin and where the scale can be altered and where the representation of data displays a particular value at a fine set of points in the representation (page 7, line 14 – page 8, line 8 and Figures 4 and 10), which reads on claimed display component arranged to display a graphical representation of a chosen subset of the set of all fact data sets in the memory as a series of data values.

Regarding dependent claims 2, 3, 10, 11, 18, and 19, Cardno discloses a circular graph and a circular representation (Figure 10), which reads on the claimed graphical representation having a substantially circular configuration and the claimed graphical representation comprises a circular graph.

Regarding dependent claims 4, 5, 12, 13, 20, and 21, Figure 10 shows segments and sub-segments matching their respective member of their finite data set and an attribute of at least one member of the chosen subset of the set of all fact data sets (page 11, line 4 – page 13, line 26 and Figures 7 – 11), which reads on the claimed data visualization system arranged to retrieve one finite data set and divide the graphical representation into two or more segments, each segment matching a member of one of the fine element sets and an attribute of at least one member of the chosen subset of the set of all fact data sets and the claimed data visualization system arranged to retrieve a further finite element data set and divide each segment into one or more sub-segments, each sub-segment matching a member of the further finite data set and an attribute of at least one of the members of the chosen subset of the set of all fact data sets included in the segment.

Regarding dependent claims 6, 7, 14, 15, 22, and 23, Figure 10 shows fact sets being represented by nodes and shows nodes in a circular pattern and new nodes in larger circular pattern where the each node for each circle are the same distance from the center corresponding to their respective circular pattern, which reads on the claimed chosen subset of the set of all fact data sets is represented by one or more nodes within the representation and the claimed graphical representation is arranged to create a new circle of nodes on the outer circumference of the graph whenever the graph divides, the number of nodes equal to the number of new segments, and each node in the new circle substantially the same distance from the centre of the graph.

Art Unit: 2672

Regarding dependent claims 8, 16, and 24, Cardno discloses the value at each web site object is preferably represented as a contoured representation, having a defined value at the center of the point with values around the representation dropping away gradually between data points and where the data points with large values are represented as higher peaks than other data points with lower values (page 13, lines 13 – 18), which reads on the claimed superimposed contoured data representations around each node in the representation such that each data point is displayed as a local maximum.


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey J. Chow whose telephone number is (571)272-8078. The examiner can normally be reached on Monday - Friday 10:00AM - 5:00PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on (571)-272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JJC

  
ULKA CHAUHAN  
SUPERVISORY PATENT EXAMINER